

### **REMARKS**

Claims 1-4, 7-9, 12-13, 16-19, 22-24, 27-28 and 31-40 are pending. The independent claims were amended as discussed below. New dependent claims 31-40 were added to further define embodiments of the present invention. Claims 5-6 and 21-22 were canceled, and their subject matter was incorporated into claims 1 and 16, respectively, in modified form as discussed below. Likewise, claims 10-11, 14-15, 25-26 and 29-30 were canceled, and their subject matter was incorporated into claims 7, 12, 22 and 27, respectively, in modified form as discussed below.

No new matter was added. The feature added to each of the independent claims wherein the list of cookie files is a list of untrusted cookie files is disclosed on at least page 6, lines 2-3 of the present specification. The feature in new dependent claims 31, 32 and 34 regarding a watch list of untrusted cookie file sources is disclosed on at least page 6, lines 1-4 of the present specification.

### **Examiner Interview**

Applicants wish to thank Examiner LeRoux for extending the courtesy of a personal interview with Applicants' undersigned representative on July 16, 2009. During pre-interview phone calls on July 15, 2009, and during the interview itself, the contents of draft Amendments faxed on July 14 and 15, 2009 were discussed. A summary of the key issues that were discussed follows below:

1. Upon reviewing the draft Amendment faxed on July 14, 2009, the Examiner telephoned Applicants' undersigned representative on July 15, 2009 to propose that the subject matter of claims 2 and 17 be incorporated into claims 1 and 16 to potentially place the application in condition for allowance. Upon further review, Applicants have respectfully declined this suggestion, but instead have incorporated the protective measures discussed in the paragraph numbered 3 below into claims 1 and 16, thereby making the amendments to claims 1 and 16 consistent with the amendment to the other independent claims that the Examiner deemed acceptable to place such claims in condition for allowance. To minimize the number of additional claims, Applicants have recited the protective measures in alternative form in the new clause of independent claims 1 and 16 (i.e., at least one of the protective measures must be

taken). Applicants believe that claims 1 and 16 are patentable even without the protective measures feature for at least the reasons discussed below, but have added this feature in an earnest effort to advance prosecution of the application.

2. During the personal interview on July 16, 2009, Applicants reviewed the arguments for patentability presented in the revised draft Amendment.

3. The Examiner stated that independent claims 7, 12, 22 and 27 would be allowable if the protective measures recited in dependent claims 10-11, 14-15, 25-26 and 29-30 were incorporated into their respective independent claims 7, 12, 22 and 27. Applicants believe that the version of independent claims 7, 12, 22 and 27 filed in the revised draft Amendment are patentable for at least the reasons discussed below. However, in an earnest effort to advance prosecution of the patent application, Applicants have made the further amendment requested by the Examiner. To minimize the number of additional claims, Applicants have recited the protective measures in alternative form in the new clause of independent claims 7, 12, 22 and 27 (i.e., at least one of the protective measures must be taken).

### **Prior Art Rejection**

Claims 1, 5, 16, 20, 25 and 29 were rejected under 35 U.S.C. § 102(b) as being anticipated by Montulli.

Claims 2, 6-8, 10-14, 15, 17, 21-23, 26-28 and 30 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Montulli in view of Walker et al. (Walker)

Claims 4 and 19 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Montulli in view of Shrader.

Claims 3 and 18 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Montulli in view of Julien Jay (Norton Internet Security 2000 (NIS 2000)).

Claims 9 and 24 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Montulli in view of Walker and NIS 2000.

Applicants respectfully traverse these rejections for at least the reasons set forth below.

1. Montulli

Montulli was applied against the claims, both individually and in combination with other references, in previous Office Actions dated June 24, 2003, April 21, 2004 and December 20, 2004. Applicants successfully traversed all of those rejections. Montulli is now being applied against the claims, individually and in combination with other references, but new portions of Montulli are now being referenced in the reasons for the rejection. However, the pending claims are believed to be patentable over these new portions.

Applicants' responses to the previous Montulli-based rejections included extensive remarks regarding the disclosure in Montulli. Some of those remarks, as well as new remarks that address the currently highlighted portions of Montulli, are summarized below:

1. Montulli is a well-known patent that is touted as describing the original concept of a cookie. See page 11 of Appendix A attached to Applicants' Response filed October 10, 2004, especially footnote 20. (U.S. Patent No. 5,774,670 is the parent patent of Montulli '242.).

2. Montulli discloses the use of a conventional list of cookies stored in a file of a browser program. The cookies are received by the browser program in a header that is sent as part of a response to http requests for web pages or web/HTML documents (column 7, lines 28-37).

3. Montulli does not disclose or suggest the concepts of requesting, receiving, downloading, or using a list of cookie file sources as set forth in step (a) of claims 1, 12, 16 and 27, and step (c) of claims 7 and 22, or any of the remaining steps in these claims that use the list of cookie file sources.

4. The client system in Montulli does not request the one or more cookies that are sent in the header (column 7, lines 34-35). The client system only requests a web page or an web/HTML documents, and the return message from the web server includes the header with the one or more cookies. Thus, there is no concept in Montulli of requesting the cookies.

5. The cookies sent in Montulli are presumed to be trusted cookies because the user, via the client machine, requested the web page or web document. Furthermore, Montulli teaches that the cookies are stored on the client system (column 7, lines 35-38). Thus, even if it is presumed that a header in Montulli that includes a plurality of cookies can read on the claimed "list of cookie files sources," Montulli actually teaches away from sending a list of untrusted cookie file sources, as now recited in the claims.

2. Patentability of independent claims 1 and 16 over Montulli

Claim 1: See pages 1-4 of the Remarks column of the attached Claim Chart.

Claim 16: Same reasons as applied to claim 1.

3. Patentability of independent claims 7, 12, 22 and 27 over Montulli in view of Walker

Claim 7: See page 4 of the Remarks column of the attached Claim Chart.

Claim 12: See page 5 of the Remarks column of the attached Claim Chart.

Claim 22: Same reasons as applied to claim 7.

Claim 27: Same reasons as applied to claim 12.

4. Patentability of new dependent claims 31-40

Claims 31-35: See pages 6-7 of the Remarks column of the attached Claim Chart.

Claims 36-40: Same reasons as applied to claims 31-35.

Furthermore, these claims are believed to be allowable because they depend upon respective allowable independent claims, and because they recite additional patentable steps.

Nor do the remaining applied references (Shrader or NIS2000) make up for any of the highlighted deficiencies in Montulli and Walker.

5. Patentability of remaining dependent claims

The remaining dependent claims are believed to be allowable because they depend upon respective allowable independent claims, and because they recite additional patentable steps.

Nor do the remaining applied references (Shrader or NIS2000) make up for any of the highlighted deficiencies in Montulli and Walker.

**Conclusion**

Insofar as the Examiner's rejections were fully addressed, the instant application is in condition for allowance. Issuance of a Notice of Allowability of all pending claims is therefore earnestly solicited.

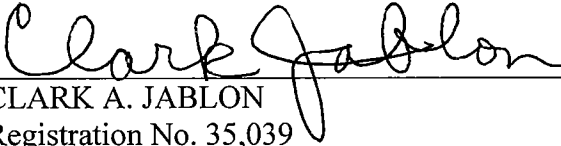
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Enclosure: Claim Chart (7 pages)

## CLAIM CHART

Claims (underlined text is newly added in the present amendment)	Grounds of rejection (underlining added for emphasis)	Remarks
1. (Currently Amended) A method of screening cookie files in a client machine, wherein a cookie file includes a cookie file source, the method comprising:		
(a) receiving, at a server, a request from a subscriber to send a list of <u>untrusted</u> cookie file sources to the client machine;	<p>column 7, line 50 of Montulli: for-fee online services can send back information</p> <p>column 7, lines 10-15 of Montulli: a server responds to an <u>http request</u> by returning an HTTP object to a client, the server may also send a piece of state information that the client system will store, in an embodiment of the present invention, the state information is referred to as a cookie</p> <p>column 7, lines 15-20 of Montulli: cookie includes a range of URLs for which that state information should be repeated back to</p> <p>Fig. 4 and column 7, lines 30-35 of Montulli: the client system sends an http request to the Web server, in response to the http request, the server returns an HTML document together with a header which is typically separate from the HTML documents, <u>the header may contain one or more cookies</u></p>	<p>It is presumed that the Examiner considers the phrase “one or more cookies” to read on a “list of cookie file sources,” when there are a plurality of cookies. Notwithstanding this reading of Montulli, clause (a) in both unamended and amended form is still not believed to be met by Montulli.</p> <p>The requests in Montulli (i.e., the “http requests” are not requests for a <u>list of cookie file sources</u>, even though the response to the http request may contain <u>one or more cookies</u>. The http requests in Montulli are merely requests for a <u>web page</u> or <u>web/HTML document</u> (column 2, line 66 through column 3, line 27; column 5, line 65 through column 6, line 10; column 6, lines 64-67; column 7, lines 27-34; and column 12, lines 14-17).</p> <p>Stated simply, if a request is made for a piece of data (here, a web page or web/HTML document), and additional items (here, one or more cookies) are returned with the requested data as a result of a response protocol, this is not a request for the additional items. It is still only a request for the piece of data, which is not</p>

	<p>a list of cookie files.</p> <p>Thus, the http requests in Montulli are not requests for a list of cookie file sources.</p> <p>Notwithstanding this clear difference between Montulli and the claimed invention, to advance prosecution of the application, clause (a) was further distinguished from Montulli, by explicitly reciting that the request is for a list of <u>untrusted</u> cookie files sources.</p> <p>In Montulli, the one or more cookies that are in the header are not <u>untrusted</u> cookies, and thus are not <u>untrusted</u> cookie file sources. They are merely cookies that are associated with the requested web page or web/HTML document. In fact, they are presumed to be <u>trusted</u> cookies because the user requested the web page or web document, and Montulli teaches that the cookies are stored on the client system (column 7, lines 35-38). Thus, Montulli actually <u>teaches away</u> from sending a list of untrusted cookie file sources.</p> <p>Nor is it proper to interpret Montulli's http request as also being a request for the one or more cookies that are returned with the response to the http request. In Montulli, the client system that makes the http request is only concerned with requesting a web page or web/HTML document, not with requesting any cookies. Applicant is not claiming the mere receipt of <u>cookie files</u> in response to any sort of subscriber request, but is explicitly claiming a subscriber request to send a list of cookie files sources.</p> <p>Furthermore, it would be improper to modify</p>
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		<p>Montulli so as to <u>explicitly</u> request the one or more cookies that are returned with the http request, since this modification would destroy the intended manner of operation of Montulli which describes that the request is a request for a <u>web page or web/HTML document</u>, wherein the one or more cookies are merely included in the response to the http request. Also, the amended clause (a) now recites requesting a list of <u>untrusted</u> cookie file sources, and as discussed above, the one or more cookies that are returned with the http request are presumed to be <u>trusted</u> cookies because the user requested the web page or web/HTML document, and Montulli teaches that the returned cookies are stored on the client system. See MPEP 2143.01 Section VI. (THE PROPOSED MODIFICATION CANNOT CHANGE THE PRINCIPLE OF OPERATION OF A REFERENCE)</p>
(b) downloading the list of <u>untrusted</u> cookie file sources from the server to the client machine;	column 7, lines 60-65 of Montulli: state information is stored by the receiving client system in the form of a cookie list for later use.	<p>Assuming that the Examiner considers the phrase “one or more cookies” to read on a “list of cookie file sources,” when there are a plurality of cookies, amended clause (b) is still not believed to be met by Montulli because the plurality of cookies in Montulli are not <u>untrusted</u> cookies, and thus are not <u>untrusted</u> cookie file sources. As discussed above, Montulli actually <u>teaches away</u> from this feature.</p>
(c) using the downloaded list of <u>untrusted</u> cookie file sources to detect cookie files received at the client machine from cookie file sources on the downloaded list by comparing the cookie file source of any received cookie file to the <u>untrusted</u> cookie file sources on the downloaded list; <u>and</u>	column 9, lines 30-35 of Montulli: if a cookie is received that matches the NAME, domain and path of a previously received cookie, then the previously received cookie will be overwritten.	<p>Assuming that the Examiner considers the phrase “one or more cookies” to read on a “list of cookie file sources,” when there are a plurality of cookies, amended clause (c) is still not believed to be met by Montulli because the plurality of cookies in Montulli are not <u>untrusted</u> cookies, and thus are not <u>untrusted</u></p>



		cookie file sources. As discussed above, Montulli actually <u>teaches away</u> from this feature.
(d) performing at least one of: (i) removing stored cookie files received at the client machine from cookie file sources on the downloaded list by (A) comparing the cookie file source of stored cookie files to the cookie file sources on the downloaded list, and (B) removing any stored cookie files that have matching cookie file sources, and (ii) preventing cookie files received at the client machine from cookie file sources on the downloaded list from being stored in the client machine by (A) comparing the cookie file source of received cookie files to the cookie file sources on the downloaded list and, (B) preventing storage of any received cookie files that have matching cookie file sources.	not applicable (added from canceled claims 5-6)	
7. (Currently Amended) A method of creating a composite list of cookie file sources in a client machine, the method comprising: (a) creating a first exception list including the identity of cookie file sources that are permitted to store cookie files in the client machine, wherein a cookie file includes a cookie file source; (b) creating a second exception list including the identity of cookie file sources that are not permitted to store cookie files in the client machine; (c) receiving at the client machine, from a service provider, a master list of <u>untrusted</u> cookie file sources;		
	see page 6 of Office Action	
	see page 6 of Office Action	
	column 3, lines 1-20 of Walker: Walker's start-up databases discloses receiving at a client machine, from a service provider, a master list of file sources.	No master list of <u>untrusted</u> cookie file sources is maintained at Montulli's server. Furthermore, as discussed above, Montulli teaches away from this concept. Accordingly, even if Walker was modified in view of Montulli, the resultant

	Walker discloses...a pre-approved list of child-appropriate URL sources but does not disclose a list of cookie file sources. Montulli discloses a cookie file source [column 7, lines 10-25]	modification would still not provide for a master list of <u>untrusted</u> cookie files sources.
(d) modifying the master list in accordance with the first and second exception lists, wherein the composite list is the modified master list; and	see page 6 of Office Action	
(e) performing at least one of: (i) <u>removing stored cookie files received at the client machine from cookie file sources on the composite list by (A) comparing the cookie file source of stored cookie files to the cookie file sources on the composite list, and</u> (B) <u>removing any stored cookie files that have matching cookie file sources, and</u> (ii) <u>preventing cookie files received at the client machine from cookie file sources on the composite list from being stored in the client machine by (A) comparing the cookie file source of received cookie files to the cookie file sources on the composite list and, (B) preventing storage of any received cookie files that have matching cookie file sources.</u>	not applicable (added from canceled claims 10-11)	
12. (Currently Amended) A method of creating a composite list of cookie file sources in a client machine, the method comprising:	see page 7 of Office Action	
(a) receiving at the client machine, from a service provider, a master list of <u>untrusted</u> cookie file sources;	column 3, lines 1-20 of Walker: Walker's start-up databases discloses receiving at a client machine, from a service provider, a master list of file sources.  Montulli discloses a cookie file source [column 7, lines 15-30]	No master list of <u>untrusted</u> cookie file sources is maintained at Montulli's server. Furthermore, as discussed above, Montulli teaches away from this concept. Accordingly, even if Walker was modified in view of Montulli, the resultant modification would still not provide for a master list of <u>untrusted</u> cookie files sources.

(b) deleting cookie file sources from the master list that correspond to one or more trusted cookie file sources listed in the client machine;	see page 7 of Office Action	
(c) adding cookie file sources to the master list that correspond to one or more untrusted cookie file sources listed in the client machine, wherein the composite list is the master list as modified by any additions and deletions of trusted and untrusted cookie file sources; and	see page 7 of Office Action	
(d) performing at least one of: (i) <u>removing cookie files stored in the client machine and received from cookie file sources on the composite list by (A) comparing the cookie file source of stored cookie files to the cookie file sources on the composite list, and (B) removing any stored cookie files that have matching cookie file sources, wherein a cookie file includes a cookie file source, and</u> (ii) <u>preventing cookie files received at the client machine from sources on the composite list from being stored in the client machine by (A) comparing the cookie file source of received cookie files to the cookie file sources on the composite list, and (B) preventing storage of any received cookie files that have matching cookie file sources, wherein a cookie file includes a cookie file source.</u>	not applicable (added from canceled claims 14-15)	
31. (New) The method of claim 1 further comprising: (d) maintaining a watch list of untrusted cookie file sources at the server, wherein the downloaded list of untrusted cookie file sources is obtained from the watch list.	not applicable (new claim)	No watch list of untrusted cookie file sources is maintained at Montulli's server.
32. (New) The method of claim 7 further comprising: (e) maintaining a watch list of untrusted cookie	not applicable (new claim)	No watch list of untrusted cookie file sources is maintained at Montulli's server. Furthermore, as discussed above, Montulli teaches away from

file sources at the service provider, wherein the master list of untrusted cookie file sources that is received at the client machine from the service provider is obtained from the watch list.			sending untrusted cookies to a client machine.  Nor is any watch list of untrusted <u>cookie file sources</u> maintained at Walker's web site authorization server 150.
33. (New) The method of claim 7 further comprising: (e) receiving, at the service provider, a request from the client machine to send a master list of untrusted cookie file sources to the client machine, wherein the master list of untrusted cookie file sources received at the client machine is received in response to the request from the client machine.	not applicable (new claim)		As discussed above, Montulli teaches away from sending untrusted cookies to a client machine.  Nor does Walker disclose or suggest a client machine requesting a master list of <u>untrusted cookie file sources</u> .
34. (New) The method of claim 12 further comprising: (d) maintaining a watch list of untrusted cookie file sources at the service provider, wherein the master list of untrusted cookie file sources that is received at the client machine from the service provider is obtained from the watch list.	not applicable (new claim)		No watch list of untrusted cookie file sources is maintained at Montulli's server. Furthermore, as discussed above, Montulli <u>teaches away</u> from sending untrusted cookies to a client machine.  Nor is any watch list of untrusted <u>cookie file sources</u> maintained at Walker's web site authorization server 150.
35. (New) The method of claim 12 further comprising: (d) receiving, at the service provider, a request from the client machine to send a master list of untrusted cookie file sources to the client machine, wherein the master list of untrusted cookie file sources received at the client machine is received in response to the request from the client machine.	not applicable (new claim)		As discussed above, Montulli teaches away from sending untrusted cookies to a client machine.  Nor does Walker disclose or suggest a client machine requesting a master list of <u>untrusted cookie file sources</u> .
36-40. (New)	not applicable (new claim)		Same arguments as corresponding claims 31-35